

**SCREENABLE CRIMES FOR DBHDS  
DIRECT CONSUMER CARE PROVIDERS  
(BARRIER CRIMES)**

**Code of Virginia § 37.2-416**

*The following offenses fall within the screening criteria and would result in a "Not Eligible" letter if an applicant was convicted of one or more.*

OFFENSE * OR AN EQUIVALENT OFFENSE IN ANOTHER STATE	CODE SECTION
Abduction (Kidnapping)*	Subsection A or B of 18.2-47
Abduction for Immoral Purpose*	18.2-48
Abuse and Neglect of Children*	18.2-371.1
Abuse and Neglect of Incapacitated Adults*	18.2-369
Aggressive Use of a Machine Gun*	18.2-290
<b>Arson*</b>	Article 1 (18.2-77 et.seq.) of Chapter 5 of Title 18.2
<b>Arson</b> - Burning Building or Structure While in such Building or Structure with Intent to Commit Felony*	18.2-82
<b>Arson</b> - Burning or Destroying any Other Building or Structure*	18.2-80
<b>Arson</b> - Burning or Destroying Dwelling House, etc.*	18.2-77
<b>Arson</b> - Burning or Destroying Personal Property, Standing Grain, etc.*	18.2-81
<b>Arson</b> - Burning or Destroying Meeting House, etc.*	18.2-79
<b>Arson</b> - Carelessly Damaging Property by Fire*	18.2-88
<b>Arson</b> - Causing, Inciting, etc. Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to such Buildings, etc.*	18.2-84
<b>Arson</b> - Manufacture, Possession, Use, etc. of Fire Bombs or Explosive Materials or Devices*	18.2-85
<b>Arson</b> - Setting Fire to Woods, Fences, Grass, etc.*	18.2-86
<b>Arson</b> - Setting off Chemical Bombs Capable of Producing Smoke in Certain Public Buildings*	18.2-87.1
<b>Arson</b> - Setting Woods, etc. on Fire Intentionally Whereby Another is Damaged or Jeopardized*	18.2-87
<b>Arson</b> - Threats to Bomb or Damage Buildings or Means of Transportation; False Information as to Danger to Such Buildings, etc.*	18.2-83
<b>Assault and Bodily Wounding*</b>	Article 4 (18.2-51 et.seq.) of Chapter 4 of Title 18.2
<b>Assault and Bodily Wounding</b> – Adulteration of Food, Drink, Drugs, Cosmetics, etc.*	18.2-54.2
<b>Assault and Bodily Wounding</b> – Aggravated Malicious Wounding*	18.2-51.2
<b>Assault and Bodily Wounding</b> – Allowing Access to Firearms by Children*	18.2-56.2
<b>Assault and Bodily Wounding - Assault and Battery*</b> (Exception: DBHDS' Licensed Private Provider may hire for compensated employment persons who have been convicted of not more than 1 misdemeanor offense under § 18.2-57, if 10 years have elapsed following the conviction, unless the person committed such offense in the scope of his employment services in a direct consumer care position.)	18.2-57

<b>Assault and Bodily Wounding - Assault and Battery Against a Family or Household Member*</b> (Exception: DBHDS' Licensed Private Provider may hire for compensated employment persons who have been convicted of not more than 1 misdemeanor offense under § 18.2-57, if 10 years have elapsed following the conviction, unless the person committed such offense in the scope of his employment services in a direct consumer care position.)	18.2-57.2
<b>Assault and Bodily Wounding – Attempts to Poison*</b>	18.2-54.1
<b>Assault and Bodily Wounding - Bodily Injuries Caused by Prisoners, State Juvenile Probationers, and State and Local Adult Probationers or Adult Parolees*</b>	18.2-55
<b>Assault and Bodily Wounding - Disarming a Law-Enforcement or Correctional Officer*</b>	18.2-57.02
<b>Assault and Bodily Wounding - Hazing of Student at Any School, College, or University*</b>	18.2-56
<b>Assault and Bodily Wounding - Hazing of Youth Gang Members*</b>	18.2-55.1
<b>Assault and Bodily Wounding - Maiming, etc., of Another Resulting from Driving While Intoxicated*</b>	18.2-51.4
<b>Assault and Bodily Wounding - Maiming, etc., of Another Resulting from Operating a Watercraft While Intoxicated*</b>	18.2-51.5
<b>Assault and Bodily Wounding – Malicious Bodily Injury by Means of Any Caustic Substance or Agent or Use of Any Explosive or Fire*</b>	18.2-52
<b>Assault and Bodily Wounding – Malicious Bodily Injury to Law-Enforcement Officers, Firefighters, Search and Rescue Personnel, or Emergency Medical Service Providers*</b>	18.2-51.1
<b>Assault and Bodily Wounding – Pointing Laser at Law-Enforcement Officer*</b>	18.2-57.01
<b>Assault and Bodily Wounding – Possession of Infectious Biological Substances or Radiological Agents*</b>	18.2-52.1
<b>Assault and Bodily Wounding – Reckless Endangerment of Others by Throwing Objects from Places Higher than One Story*</b>	18.2-51.3
<b>Assault and Bodily Wounding – Reckless Handling of Firearms; Reckless Handling While Hunting*</b>	18.2-56.1
<b>Assault and Bodily Wounding – Shooting, etc., in Committing or Attempting a Felony*</b>	18.2-53
<b>Assault and Bodily Wounding – Shooting, Stabbing, etc., with Intent to Maim, Kill, etc.*</b>	18.2-51
<b>Assault and Bodily Wounding – Strangulation of Another*</b>	18.2-51.6
<b>Assault and Bodily Wounding – Use or Display of Firearm in Committing Felony</b>	18.2-53.1
<b>Burglary*</b>	Article 2 (18.2-89 et.seq.) of Chapter 7 of Title 18.2
<b>Burglary – Breaking and Entering Dwelling House with Intent to Commit Other Misdemeanor*</b>	18.2-92
<b>Burglary – Entering Bank, Armed, with Intent to Commit Larceny*</b>	18.2-93
<b>Burglary – Entering Dwelling House, etc., with Intent to Commit Larceny, Assault and Battery, or Other Felony*</b>	18.2-91
<b>Burglary – Entering Dwelling House, etc., with Intent to Commit Murder, Rape, Robbery or Arson*</b>	18.2-90
<b>Burglary – Possession of Burglariou Tools, etc.*</b>	18.2-94
<b>Carjacking*</b>	18.2-58.1
<b>Crimes Against Nature Involving Children*</b>	18.2-361
<b>Delivery of Drugs to Prisoners*</b>	18.2-474.1
<b>Drive-By Shooting*</b>	18.2-286.1
<b>Electronic Facilitation of Pornography*</b>	18.2-374.3
<b>Employing or Permitting a Minor to Assist in an Act Constituting an Offense under Article 5 (18.2-372 et.seq.) of Chapter 8 of Title 18.2</b>	Article 5 (18.2-372 et.seq.) of Chapter 8 of Title 18.2
<b>Employing or Permitting a Minor to Assist in – Advertising, etc., Obscene Items, Exhibitions or Performance*</b>	18.2-376
<b>Employing or Permitting a Minor to Assist in – Coercing Acceptance of Obscene Articles or Publications*</b>	18.2-378
<b>Employing or Permitting a Minor to Assist in – Creation of Image of Another*</b>	18.2-386.1

Employing or Permitting a Minor to Assist in – Display of Child Pornography or Grooming Video or Materials to a Child*	18.2-374.4
Employing or Permitting a Minor to Assist in – Indecent Exposure*	18.2-387
Employing or Permitting a Minor to Assist in – Obscene Exhibitions and Performances*	18.2-375
Employing or Permitting a Minor to Assist in – Obscene Sexual Display*	18.2-387.1
Employing or Permitting a Minor to Assist in – Possession, Reproduction, Distribution, Solicitation, and Facilitation of Child Pornography*	18.2-374.1:1
Employing or Permitting a Minor to Assist in – Production, Publication, Sale, Financing, etc., of Child Pornography*	18.2-374.1
Employing or Permitting a Minor to Assist in – Production, Publication, Sale, Financing, etc., of Obscene Items*	18.2-374
Employing or Permitting a Minor to Assist in – Unlawful Dissemination or Sale of Images of Another*	18.2-386.2
Employing or Permitting a Minor to Assist in – Use of Communications Systems to Facilitate Certain Offenses Involving Children*	18.2-374.3
Escape from Jail*	18.2-477
Extortion by Threat*	18.2-59
Failure to Secure Medical Attention for an Injured Child*	18.2-314
Felonies by Prisoners*	53.1-203
Incest*	18.2-366
Malicious Wounding by Mob*	18.2-41
Murder or Manslaughter*	Article 1 (18.2-30 et.seq.) of Chapter 4 of Title 18.2
Murder or Manslaughter – Felony Homicide*	18.2-33
Murder or Manslaughter – Involuntary Manslaughter*	18.2-36
Murder or Manslaughter – Involuntary Manslaughter; Driving a Vehicle While Under the Influence*	18.2-36.1
Murder or Manslaughter - Involuntary Manslaughter; Operating a Watercraft While Under the Influence*	18.2-36.2
Murder or Manslaughter – Killing a Fetus*	18.2-32.2
Murder or Manslaughter – Murder, Capital*	18.2-31
Murder or Manslaughter – Murder, First and Second Degree*	18.2-32
Murder or Manslaughter – Murder of a Pregnant Woman*	18.2-32.1
Murder or Manslaughter – Voluntary Manslaughter*	18.2-35
Obscenity Offenses*	18.2-374.1
Pandering*	18.2-355
Possession of Child Pornography*	18.2-374.1:1
Possession of Drugs (Felony Convictions) in the 5 Years Prior to Application Date; Possession of Drugs (Felony Convictions) and Continue on Probation or Parole or Have Failed to Pay Required Court Costs; Distribution of Drugs (Felony Convictions)*	Article 1 (18.2-247 et.seq.) of Chapter 7 of Title 18.2 (18.2-250)
Possession of Drugs – Allowing a Minor or Incapacitated Person to be Present during Manufacture or Attempted Manufacture or Attempted Manufacture of Methamphetamine (Felony Convictions)*	18.2-248.02
Possession of Drugs – Assisting Individuals in Unlawfully Procuring Prescription Drugs (Felony Convictions)*	18.2-258.2
Possession of Drugs – Certain Premises Deemed Common Nuisance (Felony Convictions)*	18.2-258
Possession of Drugs – Distribution of Certain Drugs to Persons under 18 (Felony Convictions)*	18.2-255

<b>Possession of Drugs – Drug Attempts (Felony Convictions)*</b>	18.2-257
<b>Possession of Drugs – Drug Conspiracy (Felony Convictions)*</b>	18.2-256
<b>Possession of Drugs – Maintaining a Fortified Drug House (Felony Convictions)*</b>	18.2-258.02
<b>Possession of Drugs – Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute Any Anabolic Steroid (Felony Convictions)*</b>	18.2-248.5
<b>Possession of Drugs – Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute a Controlled Substance or an Imitation Controlled Substance (Felony Convictions)*</b>	18.2-248
<b>Possession of Drugs – Manufacturing, Selling, Giving, Distributing, or Possessing with Intent to Manufacture, Sell, Give, or Distribute Methamphetamine (Felony Convictions)*</b>	18.2-248.03
<b>Possession of Drugs – Obtaining Drugs, Procuring Administration of Controlled Substances, etc., by Fraud, Deceit, or Forgery (Felony Convictions)*</b>	18.2-258.1
<b>Possession of Drugs – Possession of Controlled Substances – In the 5 years Prior to Application Date (Felony Convictions)*</b>	18.2-250
<b>Possession of Drugs – Possession and Distribution of Flunitrazepam (Felony Convictions)*</b>	18.2-251.2
<b>Possession of Drugs – Possession and Distribution of Gamma-Butyrolactone; 1, 4-Butanediol (Felony Convictions)*</b>	18.2-251.3
<b>Possession of Drugs – Sale, Gift, Distribution, or Possessing with Intent to Sell, Give, or Distribute Marijuana (Felony Convictions)*</b>	18.2-248.1
<b>Possession of Drugs – Sale or Manufacture of Drugs on or Near Certain Properties (Felony Convictions)*</b>	18.2-255.2
<b>Possession of Drugs – Transporting Controlled Substances into the Commonwealth (Felony Convictions)*</b>	18.2-248.01
<b>Robbery*</b>	18.2-58
<b>Sexual Assault*</b>	Article 7 (18.2-61 et.seq.) of Chapter 4 of Title 18.2
<b>Sexual Assault – Aggravated Sexual Battery*</b>	18.2-67.3
<b>Sexual Assault – Attempted Aggravated Sexual Battery*</b>	18.2-67.5
<b>Sexual Assault - Attempted Forcible Sodomy*</b>	18.2-67.5
<b>Sexual Assault – Attempted Object Sexual Penetration*</b>	18.2-67.5
<b>Sexual Assault – Attempted Rape*</b>	18.2-67.5
<b>Sexual Assault – Attempted Sexual Battery*</b>	18.2-67.5
<b>Sexual Assault – Carnal Knowledge of Certain Minors*</b>	18.2-64.1
<b>Sexual Assault – Carnal Knowledge of Child between 13 and 15 Years of Age*</b>	18.2-63
<b>Sexual Assault – Carnal Knowledge of an Inmate, Parolee, Probationer, Detainee, or Pretrial or Post Trial Offender*</b>	18.2-64.2
<b>Sexual Assault - Forcible Sodomy*</b>	18.2-67.1
<b>Sexual Assault – Infected Sexual Battery*</b>	18.2-67.4:1
<b>Sexual Assault – Object Sexual Penetration*</b>	18.2-67.2
<b>Sexual Assault – Rape*</b>	18.2-61
<b>Sexual Assault – Sexual Abuse of a Child under 15 Years of Age*</b>	18.2-67.4:2
<b>Sexual Assault – Sexual Battery*</b>	18.2-67.4
<b>Stalking (Felony Convictions) *</b>	18.2-60.3
<b>Taking Indecent Liberties with Children *</b>	18.2-370; 18.2-370.1
<b>Threats of Death or Bodily Injury *</b>	18.2-60

Use of a Machine Gun in a Crime of Violence *	18.2-289
Use of a Sawed Off Shotgun in a Crime of Violence *	Subsection A of 18.2-300
Violation of a Protective Order (Felony Convictions) *	18.2-60.4; 16.1- 253.2

If you need help to determine if an offense is considered screenable, you may contact DBHDS' Background Investigations Unit at (804) 786-6384 or (804) 786-6326.